

United States District Court
For the Northern District of California

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6 IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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ANDREW LANCASTER, JEFFERY MILLS,
DEXTER WILLIAMS, WILLIAM DENNIS,
STEVE LIVADITIS, JIMMY VAN PELT,
H. LEE HEISHMAN III AND JOHNATON
GEORGE,

No. C 79-01630 WHA

**ORDER RE NOTICE OF CLASS
DEFICIENCY**

Plaintiffs,

v.

JAMES E. TILTON, Acting Secretary,
California Department of Corrections and
Rehabilitation, and ROBERT L. AYERS, JR.,
Acting Warden, San Quentin State Prison,

Defendants.

/

Intervenor Freddie Fuiava filed a “notice of class deficiency,” addressing the removal of named class representative Dexter Williams and the addition of new class representatives to represent the Grade B population.

Fuiava raised the issue that Dexter Williams apparently no longer wanted to represent the class. Letters from Williams filed with the Court on June 25, 2007, and July 13, 2007, however, indicate his desire to remain a named class representative. In light of his stated wish to do so, Williams will continue to represent the class.

Due to the reclassification of named representatives Andrew Lancaster and Johnaton George from Grade B to Grade A status, there is no longer a named class representative of Grade B status. Accordingly, the Court encourages plaintiffs’ counsel to advance a candidate to

1 represent the Grade B inmates by **TUESDAY, AUGUST 21, 2007**. In the meantime, the Court will
2 be pleased to receive input from Freddy Fuiava to express the views of Grade B inmates.
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4 **IT IS SO ORDERED.**

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6 Dated: July 23, 2007.

Wm A
7 WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE